IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 2712 of 2005

Between:

V.Tirumaleswara Rao S/o V.Gangaiah
D.No.41-1/11/21, Nehrunagar, 2nd Lane, Krishna Lanka, Vijayawada-13

..... PETITIONER

AND

Andhra Pradesh Public Service Commissioner, Rep.by its Secretary,
Gruhakalpa Complex,
Nampally, Hyderabd. 500001

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order dt. 08/10/2002 in OA.No.1544 on the file of the Honourable Andhra Pradesh Administrative Tribunal, Hyderbad Bench, Hyderabd as illegal, arbitrary, null and void, unconstitutional, contrary to the Notification dt. 21/12/1988 of the respondent herein and by setting aside the said order dt. 08/10/2002 direct the respondent herein to appoint me forthwith to the post of Junior Assistant or Typist under AP., Judicial Ministerial Service or AP., Legislature Service.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondent: MR.M.VIJAY KUMAR

S.C for A.P.P.S.C

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed assailing the order, dated 08.10.2002, passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.1544 of 1993.

2. The matter relates to the appointment of Junior Stenographers, Typists and Junior Assistants. In pursuance of the Notification No.1/89, dated 21.012.1988, the petitioner made an application. However, he was informed by the respondent vide Memo No.1171/IC/91, dated 24.04.1991, that he was provisionally selected for the said post. The respondent further informed the petitioner, vide Memo No.14066023/IB/91, dated 11.10.1991 that his case was rejected on the ground that he did not possess the minimum qualification of Intermediate, which is the required qualification for appointment to the post of Junior Stenographers, Typists and Junior Assistants in the Head of the Department. Aggrieved by the said order, the petitioner filed the O.A. and the same was dismissed by an order, dated 08.10.2002, against which the present Writ Petition has been filed.

3. Learned counsel for the petitioner submits that the Tribunal has misdirected itself in considering the matter in proper perspective and submits that the petitioner possess all the requisite qualifications for the appointment to the post of Steno/Typist.

4. We are unable to persuade ourselves with the contention raised by the learned counsel.

5. Firstly, the appointment took place in the year 1989 and no direction was given by the Tribunal to reserve the post. Under those circumstances, we are not inclined to consider the matter on merits.

6. Accordingly, the Writ Petition is dismissed. No costs.

_____

G. BIKSHAPATHY, J.

_____

P.S. NARAYANA, J.

Date: 18/02/2005

ES

To

1. The Secretary, Andhra Pradesh Public Service Commissioner, Gruhakalpa Complex,
   Nampally, Hyderabd. 500001

2 2 CD copies